



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, DC 20231
www.uspto.gov

JUN 16 2003

#12
DW
MAILED

JUN 16 2003

OFFICE OF THE DIRECTOR
TC 3600

Katten Muchin Zavis Rosenman
575 Madison Avenue
New York, NY 10022-2585

In re Application of
Yuki Tsuchida et al.
Application No. 09/838,015
Filed: April 19, 2001
For: ROLLING BEARING WITH SEAL
PLATE

:
:
DECISION ON PETITION
:
TO WITHDRAW THE
:
HOLDING OF ABANDONMENT

This is in response to applicants' petition to withdraw the holding of abandonment, filed in the United States Patent and Trademark Office on January 29, 2003 and supplemented on June 13, 2003.

The petition is **GRANTED**.

A review of the file record indicates that the application was held abandoned for failure to file a timely response to an Office communication dated June 14, 2002, and a notice to that effect was mailed on January 24, 2003.

Applicants' petition includes a copy of a response and includes a USPTO auto-reply facsimile transmission return receipt bearing a transmittal date of September 16, 2002. The received cover page in the auto-reply facsimile transmission does not specify what was received. This is insufficient evidence of a timely response. However, the copy of the response includes a Certificate of Transmission dated September 16, 2002. A statement by Harris A. Wolin, was received on June 13, 2003, which attests to the personal knowledge of transmitting the response on the date indicated on the Certificate of Transmission. This is sufficient evidence of a timely response.

Since a timely response to the Office action was filed, the holding of abandonment is withdrawn and the application is restored to pending status. The application is being forwarded to the Supervisory Legal Instruments Examiner for entry of the response filed with the petition, and then to the Examiner for prompt action on the merits of the application.

Kenneth J. Dorner, Special Program Examiner
Patent Technology Center 3600
Telephone No.: (703) 308-0866
Facsimile No.: (703) 605-0586

KJD/tpl: 6/13/03